

CITY COUNCIL, CITY OF LODI  
COUNCIL CHAMBER, CITY HALL  
JULY 15, 1959

This regular meeting of the City Council of the City of Lodi  
will be held at 8:00 o'clock p.m. of Wednesday, July 15, 1959;  
Councilmen Hubertson, Katzakian, Mitchell, Robinson and Brown  
(Mayor) present; none absent. City Manager gives. Planning  
Director Rodgers and City Attorney Miller present.

MINUTES

Minutes for July 1, 1959 were approved as  
written and meted on motion of Councilman  
Katzakian, Mitchell second.

PUBLIC HEARINGS

REZONING R-4  
ON W. PINE ST.

ORD. NO. 657

INTRODUCED

Mayor Brown called for hearing on the proposed  
rezoning from R-4 multiple family residential  
to C-2 commercial-prof. office of the property  
on the north side of West Pine Street from the  
City Hall to Hutchins Street and the south side  
of West Pine Street from Pleasant Avenue to  
Hutchins Street. The Planning Commission has  
recommended the proposed rezoning. Miss Carol  
Blond spoke in behalf of the rezoning. There  
were no protests, either written or oral. On  
motion of Councilman Robinson, Katzakian second.  
The City Council by unanimous vote introduced  
Ordinance No. 657 rezoning said property to the  
C-2 commercial-professional office district by  
reading of title only and waiving reading of the  
ordinance in full.

REZONING R-2  
LODS 18 AND 19

ORD. NO. 654

INTRODUCED

The Mayor then called for public hearing on the  
proposed rezoning from the R-4 multiple family  
residential zone to the C-2 general commercial  
zone of lots 18 and 19, Stormo East, being  
on the north side of Kettleman Lane between  
Stockton and Washington streets. There being  
no protests, either written or oral, on motion  
of Councilman Mitchell, Hubertson second, the  
City Council by unanimous vote introduced  
Ordinance No. 654 rezoning said lots to C-2 by  
reading of title only and waiving reading of  
the ordinance in full.

PLANNING COMMISSION

REZONING R-2  
USE EXISTING ZONE

ORD. NO. 655

INTRODUCED

At the meeting of July 13, 1959 the Planning  
Commission recommended to the City Council  
that the fees for zoning change requests and  
use permit requests be increased to more  
nearly cover the actual cost of processing  
the applications, as follows: The zone change  
fee should be increased from \$20.00 to \$40.00,  
and the use permit fee from \$10.00 to \$20.00.  
The City Manager read the memorandum from the  
Planning Director outlining the basis for the  
requested increase. After discussion of the  
proposed fees, on motion of Councilman Robin-  
son, Mitchell second, the Council introduced  
Ordinance No. 655 amending Ordinance No. 459  
by changing the fees as recommended.

## COMMUNICATIONS

- WERNER CLAIM Claim for Damages of Richard D. Werner by his father George Werner in the amount of \$25,000 for injuries sustained while playing at the Emerson School grounds. On motion of Councilman Katsakian, Culbertson second, the claim was rejected and referred to the City's Agent of Record.
- BARBERA UTILITIES Letter from Edward Barbera requesting permission for temporary connections to the City's water, sewer, electric and drainage systems for 23 acres of land located at 1661 South Church Street outside the City limits. He makes the request on the basis that he, his heirs or successors in title will pursue annexation of this parcel and that such temporary services may be terminated by the City in the event and at such time as he, his heirs or successors in title object or register a protest to the annexation or in the event the present annexation proceedings are not completed for any reason. The Planning Director stated that the property is before the County Boundary Commission for approval which is required before the petition may be presented to the City. Councilman Culbertson moved, Katsakian second, that the request be granted on the conditions stated in the letter and in addition that the petition must be filed with the City within thirty days.
- SAFETY CITATION Letter from the California State Automobile Association informing the Council that the City has received a citation in the AAA Pedestrian Program for not having a single pedestrian fatality during 1958 and that a certificate therefor would be presented to the City.

## REPORTS OF THE CITY MANAGER

- PT&T & CITY JOINT POLE COSTS RES. NO. 2248 ADOPTED The City Manager presented a letter from the Pacific Telephone and Telegraph Company concerning division of joint pole costs under the General Joint Pole Agreement of 1910. It is proposed that the normal maximum space per pole for the City of Lodi be five feet and for the Telephone Company, three feet. Should either party reserve more than the maximum normal space, that party shall bear the cost of the extra pole length. On motion of Councilman Katsakian, Culbertson second, the City Council adopted Resolution No. 2248 authorizing the City Manager to sign the letter in agreement to the above conditions as set forth therein.
- DIV. OF HIGHWAYS AGREEMENT RES. NO. 2249 ADOPTED Resolution No. 2249, approving the 1959-60 "Memorandum of Agreement for Expenditure of Engineering Allocation for City Streets" from the State Division of Highways and authorizing the Mayor to execute same, was adopted on motion of Councilman Mitchell, Katsakian second.
- DIV. OF HIGHWAYS AGREEMENT RES. NO. 2250 ADOPTED The 1959-60 "Memorandum of Agreement for Expenditure of Gas Tax Allocation for Major City Streets," which includes maintenance of major and secondary streets, purchase of the Dow property between Ham and Pacific, and the reconstruction of Turner Road, was then presented for approval. Councilman Katsakian moved, Mitchell second, the adoption of Resolution No. 2250 approving said "Memorandum of Agreement" and authorizing the Mayor to sign.

SPECS WATER PIPE Specifications for water pipe were approved and advertising for bids authorized on motion of Councilman Katzakian. Robinson second.

AWARD  
COMMINUTOR The City Manager stated that one bid had been received. from the Chicago Pump Company. for the furnishing of a comminutor at \$5,438.00. and he recommended that the award be made. On motion of Councilman Mitchell. Katzakian second, the Council adopted Resolution No. 2251 awarding the contract for the comminutor to Chicago Pump Company.

RES. NO. 2251  
ADOPTED

AWARD  
LAKE PARK Two bids were received for installation of curb and gutter at Lodi Lake Park. as follows: Claude C. Wood Company, \$3,358.00 and William Burkharit, \$3,193.25. Resolution No. 2252 awarding the contract to William Burkharit was adopted on motion of Councilman Culbertson. Katzakian second.

CURB & GUTTER

RES. NO. 2252  
ADOPTED

AWARD  
TURNER ROAD The City Manager then presented the two bids which had been received for the Turner Road Paving Project and read the following memorandum addressed to the City Council from the Director of Public Works dated July 15, 1959:

PAVING

RES. NO. 2253  
ADOPTED

"We received two bids for Turner Road Paving--one from the Claude C. Wood Company for a total of \$30,598.50. the other from the Cupertino Gravel Co., Inc. for \$40,761.00. Our estimate of cost for this portion of the work amounts to \$43,350.00.

"Accompanying the bid of the Claude C. Wood Company was a letter stating that they are unable to obtain and use a Model 54 Wood Mixer as specified in Paragraph 2.06 of the specifications. This letter further states that they will use a Model 42 Wood Mixer.

"In my opinion, whether a Model 54 or a Model 42 Wood Mixer is used is unimportant. Both machines will do the job equally well and the Contract can be fully performed with the use of a Model 42 Wood Mixer. It is my further opinion that the Claude C. Wood Company's qualification is not a substantial variation from the requirements of the specifications; and, they being the low bidder, I recommend to the City Council that the Contract be awarded to the Claude C. Wood Company."

After discussion and further explanation, it was moved by Councilman Katzakian, seconded by Councilman Mitchell and unanimously carried that the Council finds that the qualification and bid of the Claude C. Wood Company was in substantial compliance with the Notice Inviting Bids and that the use of the equipment proposed by Claude C. Wood Company would result in the City obtaining a completed project as called for in the specifications and accordingly awards the bid to Claude C. Wood Company for their bid price of \$30,598.50 by adoption of Resolution No. 2253.

AWARD  
VINE-WINDSOR  
STREET LIGHTS  
  
RES. NO. 2254  
ADOPTED

Three bids were received for the Vine-Windsor Street Lights, the lowest bid being from Electric Equipment Company for \$10,100.00. The Council adopted Resolution No. 2254 awarding the contract for the street lights to the Electric Equipment Company on motion of Councilman Katzakian. Mitchell second.

HAM LANE RR  
CROSSING  
  
RES. NO. 2256  
ADOPTED

The City Manager reported that application had been made to the Public Utilities Commission to place the City on the priority list for Crossing Protection Funds for signals at the Southern Pacific Company Ham Lane Crossing. He stated that the City had been checking the Loma, Pleasant and California Street crossings also and that signs have been placed on the streets to warn motorists. Councilman Robinson felt that present traffic does not justify installation of signals on Ham Lane at this time and that the City should not proceed with the application for funds unless it were sure it wanted the installation. The use of reflector signs was discussed. Councilman Katzakian stated that if the State grants the application, the City should have the signals installed. Stating that he was in favor of having signals at Ham Lane, Councilman Culbertson moved the adoption of Resolution No. 2256 authorizing the Mayor to make application to the Public Utilities Commission for Crossing Protection Funds for Ham Lane. The motion was seconded by Councilman Mitchell and passed by the following vote:

AYES: Councilmen - Katzakian, Culbertson,  
Mitchell and Brown

NOES: Councilmen - Robinson

DELINQUENT  
ASSESSMENTS  
  
RES. NO. 2255  
ADOPTED

Resolution No. 2255, directing the County Tax Collector to collect delinquent street light assessments in the Sunset Avenue and the Alicante-Tamarack-Rimby Street Lighting District, was adopted on motion of Councilman Robinson. Katzakian second.

CIVIC CENTER

Councilman Katzakian stated that there were some property owners in the City Hall block who wanted to know what the City intended to do regarding purchase of their property so that they could plan accordingly, and in this connection he wished to know when the Capital Outlay Program would be ready for presentation to the Council. The City Manager said he hoped to have it ready in August. Councilman Robinson stated that the City should proceed to purchase property in the City Hall area as it became available. Councilman Culbertson was of the opinion that the Council had rejected "Site C" but had not designated another site. He was aware that the other members of the Council favored the City Hall location, but he felt that definite plans should be formulated as to what would be needed over at least the next ten years, and that making plans as the need arose would be haphazardous. Councilman Robinson moved that the present City Hall block be designated as the site for a Civic Center. Councilman Mitchell seconded the motion. Councilman Culbertson restated that the Council should be more specific

regarding plans. Councilmen Katzakian moved that the motion be tabled and that the Council Minutes be checked as to action already taken. The motion was seconded by Councilman Robinson, but he later withdrew his second and asked for a vote on his motion. There was further discussion on the need for planning. Councilman Mitchell withdrew his second to the original motion and Councilman Robinson then withdrew his motion.

On motion of Councilman Katzakian, Robinson second, the meeting adjourned.

*Beatrice Garibaldi*  
ATTEST: BEATRICE GARIBALDI  
City Clerk